

Response
Serial No. 09/880,731
Attorney Docket No. 021380

REMARKS

Claims 1, 3 – 7, 9-12 and 14-17 are pending in the present application. By this Amendment, claims 1, 4, 5, 10 and 12 have been amended and claim 14 has been cancelled. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated October 5, 2005.

35 U.S.C. §112, Second Paragraph Rejection:

Claims 4, 5, 12 and 14 stand rejected under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

This rejection is respectfully traversed.

The examiner rejects claim 12 of the present application on the basis that it is unclear if the terms "node" in the providing step and the sending step are different or not. The applicant has amended the claim 12 by changing the article of the term "node" in the latter step from "a" to "the" thereby indicating the nodes in both steps are the same ones. Thus, claim 12 has been amended to overcome this rejection. In addition, the applicant has cancelled the claim 14.

As for the claims 4 and 5, the examiner pointed out that there are defections in the terms of "second monitor unit" and "third monitor unit". The applicant has made necessary amendments such as deleting the words of "second" and "third", and so forth. Thus, it is submitted that claims 4 and 5 have been amended to

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overcome this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

As to the Merits:

As to the merits of this case, the Examiner sets forth the following rejection:

claims 1, 3-7, 9-12, 14 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 6,580,950) in view of Ouchi et al. (U.S. Patent No. 6,539,404).

This rejection is respectfully traversed.

Re: U.S.C. 103 Rejection

According to the invention of the claim 1 of the present application, the monitor unit detects a trigger signal, and the connection between the apparatus and the network is established based on the detection of the trigger signal. This is made clearer in the claim 1 after amendment. This structure in the invention of the claim 1 makes the permanent connection between the apparatus and the network unnecessary. By making the permanent connection unnecessary, significant effect such as enhancing the security can also be attained. In addition, according to the present invention, real-time control of, for example, home appliances can be carried out over the network once the connection between the network and the

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apparatus is established.

The examiner points out that Johnson discloses the system which does not require permanent connection based on the Johnson's description "If the control unit 30 is online and receives the connect command, the control unit 30 then transmits a connected signal to the data center 20 thereby establishing a secure connection to the control unit 30." (column 7, lines 62-65)

This description, however, merely means that "the connection between an apparatus (i.e. control unit 30) and another apparatus (i.e. data center 20)" can be established when "the connection between the apparatus (control unit 30) and the network" is established. Thus, in Johnson, the former type connection might be necessarily not permanent but the latter type connection should be permanent in order to timely transmit command to the control unit 30. On the other hand, the information processing apparatus of the present invention is not initially connected to a network and is connected to the network when trigger signal is given through the route other than the network. This means that the "latter type connection" above is not necessarily permanent.

Thus, the present invention is never disclosed or suggested in Johnson.

Moreover, for example, Figs. 1 and 5 of Johnson clearly show that route connecting the Control Unit, Data Center and User's Computer is solely the Global Network. There is no route connecting them other than the Network while there are at least two communication routes shown in the present application, as

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described above. This means that the Control Unit can not be operated from remote computer if it is connected to the Network. As another example, Fig. 7 of Johnson also shows that if "Did control Unit Connect?" is "No", "Inform User Control Unit is Not Online". This indicates that a command to the Control Unit can not be transmitted thereto when the Control Unit is not connected to the Network. On the other hand, the claim 1 of the present application clearly shows that the monitor unit detects the trigger signal transmitted through a route other than the network (see "in compliance with a communication protocol which does not require connection to the network"). Thus, the some Figures of Johnson also indicates that what disclosed in Johnson is different from the present invention where permanent connection between the network and the apparatus is not necessarily required.

The notification of IP address shown in Ouchi is conducted in order to inform a server to be accessed among a plurality of servers. This is described in Column 21, lines 17-25 of Ouchi.

On the other hand, in the present invention, the server to be accessed is already known to the network node of the user. However different IP address is allotted to the server each time the server is connected to the network and the allotted IP address is notified to the user's node so that the node may access to the server. This structure is inevitably required as the information processing apparatus in the claim 1 (i.e. home server) is not permanently connected to the network. Thus, the present application is also different from Ouchi.

As described above, the invention of the claim 1 is never disclosed or suggested

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in Johnson, Ouchi, and the combination thereof. Therefore, the invention should not be rejected under U.S.C. 103 based on them. Accordingly, the claims dependent on the claim 1 should not be rejected.

Also, as for other independent claims it is clearly shown that the information processing apparatus or server is made free from connecting to the network permanently and same argument on the claim 1 described above can be applied to those independent claims. Accordingly, the independent claims and the claims dependent thereon should not be rejected based on Johnson or Ouchi.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Response

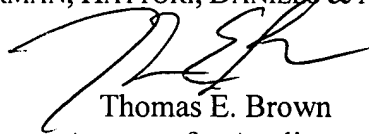
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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'TEB', is written over the printed name of Thomas E. Brown.

Thomas E. Brown

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